IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL APPLICATION NO.294 OF 2007

Wakar Mohammed Khalid Khan ...Applicant.
V/s.
The State of Maharashtra ...Respondent.

Shri H.E.Mooman, adv. for the Applicant.
Smt. S.V.Gajare, APP for the Respondent/State.

CORAM: J.H.BHATIA, J.
DATE : 14th March, 2007.

P.C.:

1. Heard the learned counsel for the parties.

2. The applicant is convicted for the offence punishable under Section 307 of the I.P.C. and was sentenced to undergo R.I. for 5 years and to pay a fine of Rs.5,000/-. The applicant has preferred an appeal challenging the conviction and sentence. Appeal is admitted.

3. By this application, the applicant seeks to be released on bail pending final hearing and disposal of the appeal.

4. It appears that the accused, who is a young boy aged about 22 years, made advances towards the prosecutrix, a girl of same age but she did not respond.

Therefore, the present applicant with pen knife assaulted her and caused six injuries. Two of them were on abdomen and 4 on different other parts of the body. Each injury was 1.5 X .5 cm, while the injuries on the abdomen were muscle deep and other injuries were skin deep. None of the injuries was serious. The applicant was on bail during the trial and there is nothing to show that he has misused the bail. Final hearing and disposal of the appeal make take long time therefore, bail may be granted to the present applicant.

5. Pending final hearing and disposal of the appeal, the applicant be released on bail on same terms and conditions as before the trial Court subject to his executing fresh bail bonds and depositing the fine amount. He shall also report at Worli Police Station on every first Sunday of every month till the disposal of the appeal.

6. The application stands disposed off.

(J.H.Bhatia,J.)